

By: Miller

H.B. No. 2157

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the requirements for a candidate's application or
3 petition for a place on the ballot.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 141.031(a), Election Code, is amended to
6 read as follows:

7 (a) A candidate's application for a place on the ballot that
8 is required by this code must:

9 (1) be in writing;

10 (2) be signed and sworn to before a person authorized
11 to administer oaths in this state by the candidate and indicate the
12 date that the candidate swears to the application;

13 (3) be timely filed with the appropriate authority;

14 and

15 (4) include:

16 (A) the candidate's name;

17 (B) the candidate's occupation;

18 (C) the office sought, including any place number
19 or other distinguishing number;

20 (D) an indication of whether the office sought is
21 to be filled for a full or unexpired term if the office sought and
22 another office to be voted on have the same title but do not have
23 place numbers or other distinguishing numbers;

24 (E) a statement that the candidate is a United

1 States citizen;

2 (F) a statement that the candidate has not been
3 determined by a final judgment of a court exercising probate
4 jurisdiction to be:

5 (i) totally mentally incapacitated; or

6 (ii) partially mentally incapacitated
7 without the right to vote;

8 (G) a statement that the candidate has not been
9 finally convicted of a felony from which the candidate has not been
10 pardoned or otherwise released from the resulting disabilities;

11 (H) the candidate's date of birth;

12 (I) the candidate's residence address or, if the
13 residence has no address, the address at which the candidate
14 receives mail and a concise description of the location of the
15 candidate's residence;

16 (J) the candidate's length of continuous
17 residence in the state and in the territory from which the office
18 sought is elected as of the date the candidate swears to the
19 application;

20 (K) the statement: "I, _____, of
21 _____ County, Texas, being a candidate for the office of
22 _____, swear that I will support and defend the constitution
23 and laws of the United States and of the State of Texas";

24 (L) a statement that the candidate is aware of
25 the nepotism law, Chapter 573, Government Code; and

26 (M) a public mailing address and any available
27 electronic mail address at which the candidate receives

1 correspondence relating to the candidate's campaign.

2 SECTION 2. Section 141.065, Election Code, is amended by
3 amending Subsection (a) and adding Subsection (c) to read as
4 follows:

5 (a) Each part of a petition must include an affidavit of the
6 person who circulated it, executed before a person authorized to
7 administer oaths in this state, stating that the person:

8 (1) pointed out and read to each signer, before the
9 petition was signed, each statement pertaining to the signer that
10 appears on the petition;

11 (2) witnessed each signature;

12 (3) verified each signer's registration status; and

13 (4) believes each signature to be genuine and the
14 corresponding information to be correct.

15 (c) A single notarized affidavit by any person who obtained
16 signatures is valid for all signatures gathered by the person if the
17 date of notarization is on or after the date of the last signature
18 obtained by the person.

19 SECTION 3. The changes in law made by this Act to Sections
20 141.031(a) and 141.065(a), Election Code, apply to an application
21 for a place on the ballot made or a petition circulated on or after
22 the effective date of this Act. An application for a place on the
23 ballot made or a petition circulated before the effective date of
24 this Act is governed by the law in effect on the date the
25 application is made or the petition is circulated, and the former
26 law is continued in effect for that purpose.

27 SECTION 4. This Act takes effect September 1, 2017.